

**AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 518
OFFERED BY MR. POMBO OF CALIFORNIA**

Strike all after the enacting clause and insert the following:

1 SECTION 1. SHORT TITLE.

2 This Act may be cited as the “Neotropical Migratory
3 Bird Conservation Improvement Act of 2006”.

**4 SEC. 2. AMENDMENTS TO NEOTROPICAL MIGRATORY BIRD
5 CONSERVATION ACT.**

6 (a) FINDINGS.—Section 2(1) of the Neotropical Mi-
7 gratory Bird Conservation Act (16 U.S.C. 6101(1)) is
8 amended by inserting “but breed in Canada and the
9 United States” after “the Caribbean”.

10 (b) PURPOSES.—Section 3(2) of such Act (16 U.S.C.
11 6102(2)) is amended by inserting “Canada,” after
12 “United States,”.

13 (c) DEFINITION OF CARIBBEAN.—Section 4 of such
14 Act (16 U.S.C. 6103) is amended by redesignating para-
15 graphs (2) and (3) in order or paragraphs (3) and (4),
16 and by inserting paragraph (1) the following:



1 “(2) CARIBBEAN.—The term ‘Caribbean’ in-
2 cludes Puerto Rico and the United States Virgin Is-
3 lands.”.

4 (d) AUTHORIZATION OF PROJECTS TO ENHANCE
5 CONSERVATION IN CANADA.—Section 5(c)(2) of such Act
6 (16 U.S.C. 6104(c)(2)) is amended by inserting “Can-
7 ada,” after “the United States,”.

8 (e) COST SHARING.—Section 5(e) of such Act (16
9 U.S.C. 6104(e)) is amended—

10 (1) in paragraph (1) by striking “25 percent”
11 and inserting “50 percent”; and

12 (2) in paragraph (2) by amending subpara-
13 graph (B) to read as follows:

14 “(B) FORM OF PAYMENT.—

15 “(i) PROJECTS IN THE UNITED
16 STATES AND CANADA.—The non-Federal
17 share required to be paid for a project car-
18 ried out in the United States or Canada
19 shall be paid in cash.

20 “(ii) PROJECTS IN LATIN AMERICA
21 AND THE CARIBBEAN.—The non-Federal
22 share required to be paid for a project car-
23 ried out in Latin America or the Caribbean
24 may be paid in cash or in kind.”.

25 (f) ADVISORY GROUP.—



1 (1) COMPOSITION.—Section 7(b)(1) of such Act
2 (16 U.S.C. 6106(b)(1)) is amended by adding at the
3 end the following: “The advisory group as a whole
4 shall have expertise in the methods and procedures
5 set forth in section 4(2) in each country and region
6 of the Western Hemisphere”.

7 (2) ENCOURAGEMENT TO CONVENE.—The Sec-
8 retary of the Interior is encouraged to convene an
9 advisory group under section 7(b)(1) of such Act by
10 not later than 6 months after the effective date of
11 this Act. This paragraph shall not be considered to
12 authorize delay of the schedule previously estab-
13 lished by the United States Fish and Wildlife Serv-
14 ice for the submission, judging, and awarding of
15 grants.

16 (g) REPORT.—Section 8 of such Act (16 U.S.C.
17 6107) is amended by striking “October 1, 2002,” and in-
18 serting “2 years after the date of the enactment of the
19 Neotropical Migratory Bird Conservation Improvement
20 Act of 2006”.

21 (h) NEOTROPICAL MIGRATORY BIRD CONSERVATION
22 FUND.—

23 (1) IN GENERAL.—Section 9 of such Act (16
24 U.S.C. 6108) is amended by striking so much as
25 precedes subsection (c) and inserting the following:



1 **"SEC. 9. NEOTROPICAL MIGRATORY BIRD CONSERVATION**
2 **FUND.**

3 "(a) ESTABLISHMENT.—There is established in the
4 Treasury a separate account, which shall be known as the
5 'Neotropical Migratory Bird Conservation Fund'. The
6 Fund shall consist of amounts deposited into the Fund
7 by the Secretary of the Treasury under subsection (b).

8 "(b) DEPOSITS INTO THE FUND.—The Secretary of
9 the Treasury shall deposit into the Fund—

10 "(1) all amounts received by the Secretary in
11 the form of donations under subsection (d); and

12 "(2) other amounts appropriated to the Fund."

13 (2) ADMINISTRATIVE EXPENSES.—Section
14 9(c)(2) of such Act (16 U.S.C. 6108(c)(2)) is
15 amended by striking '\$80,000' and inserting
16 '\$150,000'.

17 (3) CONFORMING AMENDMENTS.—Such Act is
18 amended further as follows:

19 (A) In section 4 (16 U.S.C. 6103), by
20 striking paragraph (1) and inserting the fol-
21 lowing:

22 "(1) FUND.—The term 'Fund' means the
23 Neotropical Migratory Bird Conservation Fund es-
24 tablished by section 9(a)."

25 (B) In section 9(d) (16 U.S.C. 6108(d)),
26 by striking "Account" and inserting "Fund".



1 (4) TRANSFER.—The Secretary of the Treasury
2 may transfer to the Neotropical Migratory Bird Con-
3 servation Fund amounts that were in the
4 Neotropical Migratory Bird Conservation Account
5 immediately before the enactment of this Act.

6 (i) AUTHORIZATION OF APPROPRIATIONS.—Section
7 10 of such Act (16 U.S.C. 6109) is amended to read as
8 follows:

9 (1) by inserting “(a) IN GENERAL.—” before
10 the first sentence;

11 (2) by striking “\$5,000,000 for each of fiscal
12 years 2001 through 2005” and inserting “for each
13 of fiscal years 2006 through 2010 the amount speci-
14 fied for that fiscal year in subsection (b)”;

15 (3) by adding at the end the following:

16 “(b) AUTHORIZED AMOUNT.—The amount referred
17 to in subsection (a) is—

18 “(1) \$5,000,000 for each of fiscal years 2006
19 and 2007;

20 “(2) \$6,000,000 for fiscal year 2008;

21 “(3) \$7,000,000 for fiscal year 2009; and

22 “(4) \$8,000,000 for fiscal year 2010.

23 “(c) AVAILABILITY.—Amounts appropriated under
24 this section may remain available until expended.



1 “(d) ALLOCATION.—Of amounts appropriated under
2 this section for each fiscal year, not less than 75 percent
3 shall be expended for projects carried out outside the
4 United States.”.

